

Message Text

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C O N F I D E N T I A L STATE 190668

E.O. 11652:GDS

TAGS: PORG, SF, UN

SUBJECT: LAGOS CONFERENCE: DRAFT DECLARATION

REF: USUN 2540

1. DRAFT DECLARATION ON APARTHEID PROVIDED TO UKUN
BY NIGERIANS CONTAINS A FEW SERIOUS PROBLEMS WHICH WE
COULD NOT LIVE WITH AND OTHER LESSER DIFFICULTIES
WHICH WE WOULD LIKE TO SEE TAKEN CARE OF. WE SUSPECT
THAT AMBASSADOR HARRIMAN IS WELL AWARE OF PROBLEM
AREAS. WE CITE THEM BELOW,BUT LEAD TO YOU DECISION
AS TO HOW EXPLICIT TO BE WITH HARRIMAN. YOU MAY WISH,
FOR EXAMPLE, FIRST TO REVIEW BIDDING WITH KEY WESTERN
GOVERNMENTS. SUBSEQUENTLY, YOU MIGHT COMMENT IN
GENERAL TERMS TO HARRIMAN; IT IS PROBABLY TOO EARLY
TO ENGAGE IN NEGOTIATION OF DETAILS. ONE POINT YOU
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SHOULD MAKE FORCEFULLY TO HARRIMAN IS THAT WE ARE
PLEASED THE DRAFT DECLARATION CONTAINS NO REFERENCE
TO ZIONISM/APARTHEID NOR TO ISRAEL. YOU SHOULD
REAFFIRM TO HARRIMAN IN STRONGEST TERMS OUR OPPOSITION
TO ANY SUCH REFERENCE OR LINKAGE.(WE HAVE SUGGESTED TO
UK EMBASSY HERE THAT UKUN MAKE THE SAME POINT.)

2. PARA 20 OF DRAFT CALLS FOR WHAT AMOUNTS TO MANDATORY ARMS EMBARGO WHICH, IF NOT SPECIFICALLY TIED TO THE RHODESIAN SITUATION, WOULD REQUIRE SEPARATE CHAPTER VII FINDING AGAINST SOUTH AFRICA. WE WOULD ACCEPT LANGUAGE SUCH AS THAT OF SC RES 311 (1972) WHICH "CALLS UPON ALL STATES TO OBSERVE STRICTLY ARMS EMBARGO AGAINST SOUTH AFRICA." IN GENERAL, ANY LANGUAGE WHICH DOES NOT IMPLY MANDATORY ARMS EMBARGO WOULD ALSO BE ACCEPTABLE.

3. ANOTHER MAJOR PROBLEM AREA IS PARA 16 OF DRAFT WHICH PURPORTS TO STRIP SOUTH AFRICA OF RIGHTS UNDER INTERNATIONAL LAW (INCLUDING SELF-DEFENSE) AND OF UN MEMBERSHIP AND GOES WELL BEYOND WHAT CONFERENCE OF THIS SORT CAN DETERMINE. WE COULD ACCEPT LANGUAGE SUCH AS THAT OF SC RES 301 (1971) WHICH SAYS THAT "SOUTH AFRICA'S CONTINUED ILLEGAL PRESENCE IN NAMIBIA CONSTITUTES AN INTERNATIONALLY WRONGFUL ACT AND A BREACH OF INTERNATIONAL OBLIGATIONS" AND THAT "SOUTH AFRICA REMAINS ACCOUNTABLE TO THE INTERNATIONAL COMMUNITY FOR ANY VIOLATIONS OF ITS INTERNATIONAL OBLIGATIONS OR THE RIGHTS OF THE PEOPLE OF THE TERRITORY OF NAMIBIA."

4. A SOMEWHAT LESS SERIOUS PROBLEM IS CREATED BY PARA 21 OF DRAFT CALLING FOR CESSATION OF LOANS TO
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AND INVESTMENT IN SOUTH AFRICA UNTIL APARTHEID IS ABOLISHED. WE COULD NOT ACCEPT LANGUAGE OF THIS SORT BUT COULD GO ALONG WITH A CALL TO REFRAIN FROM ECONOMIC TIES WHICH COULD PROMOTE MAINTENANCE OF APARTHEID IN SOUTH AFRICA.

5. SIMILARLY, PARA 19 CALLING FOR CESSATION OF ANY NUCLEAR COOPERATION WITH SOUTH AFRICA IS UNACCEPTABLE; HOWEVER, WE COULD ACCEPT A PROVISION CALLING ON STATES TO REFRAIN FROM ANY ASSISTANCE OR COOPERATION ENABLING SOUTH AFRICA TO OBTAIN NUCLEAR WEAPON CAPABILITY, COUPLED WITH LANGUAGE CALLING ON SOUTH AFRICA TO ADHERE TO NPT AND CALLING FOR END TO ANY NUCLEAR COOPERATION NOT UNDER IAEA SAFEGUARDS.

6. REFERENCES TO ROLE OF LIBERATION MOVEMENTS IN PARAS 6, 7, 17 AND 23 OF DRAFT GO BEYOND WHAT WE HAVE AGREED TO OR ABSTAINED ON IN THE PAST IN SC RESOLUTIONS. WE WOULD PREFER LANGUAGE SUCH AS THAT OF SC RES 311 (1972) WHICH "RECOGNIZES THE LEGITIMACY OF THE STRUGGLE OF THE OPPRESSED PEOPLES OF SOUTH AFRICA IN PURSUANCE OF THEIR HUMAN AND POLITICAL RIGHTS."

7. PARA 15, WHICH SAYS THE INTERNATIONAL COMMUNITY MUST ASSIST STATES THREATENED BY SOUTH AFRICA ALSO GOES TOO FAR. CALLING ON STATES TO DO THEIR BEST TO ASSIST THREATENED STATES WOULD BE ACCEPTABLE.

8. IN THE CATEGORY OF MINOR EDITORIAL PROBLEMS, WE FIND PARA 1'S REFERENCE TO "IMPRISONMENT OF MILLIONS OF AFRICANS," AND PARA 4'S REFERENCE TO "CONSTANT THREATS AGAINST NEIGHBORING STATES" TO BE OVERBLOWN AND WOULD SUGGEST MORE MODEST AND REALISTIC FORMULATIONS.

9. PARA 25'S REFERENCE TO LIBERATING SOUTH AFRICA
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FROM COLONIAL RULE IS INACCURATE AND UNACCEPTABLE.

10. LANGUAGE IN PARAS 5 AND 13 SKIRTING AROUND CHAPTER VII LANGUAGE DOES NOT LOOK AS BAD AS SOME LANGUAGE WE HAVE ALREADY GONE ALONG WITH AND WE DONT FEEL THE NEED TO RAISE OBJECTIONS, BUT WE UNDERSTAND FROM UK EMBASSY HERE THAT IT MIGHT GIVE LONDON SOME PROBLEMS SO YOU MIGHT WANT TO CHECK THIS OUT WITH UKUN.

CHRISTOPHER

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